



I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on March 12, 1999

Martin G. Linihan
Name
Martin G. Linihan
Signature
March 12, 1999
Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Esther S. Takeuchi

Serial No. 09/176,374

Filed: October 21, 1998

For: Wound Element Electrode Assembly Design
For Use In Prismatic Case Electrochemical Cells

RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231
Attn: Box Missing Parts

Sir:

In response to the Notice To File Missing Parts Of Application mailed November 12, 1998, (copy enclosed) herewith are the executed Declaration together with payment of the surcharge fee.

Respectfully Submitted,

HODGSON, RUSS, ANDREWS,
WOODS & GOODYEAR LLP

By Martin G. Linihan
Martin G. Linihan
Reg. No. 24,926

1800 One M&T Plaza
Buffalo, New York 14203
(716) 856-4000
March 12, 1999

FEE TRANSMITTAL

Note: Effective November 10, 1998.

Patent fees are subject to annual revision.

Application Number	09/176,374
Filing Date	October 21, 1998
First Named Inventor	Esther S. Takeuchi
Group Art Unit	
Examiner Name	
Attorney Docket Number	04645.0562

TOTAL AMOUNT OF PAYMENT (\$510.00)

3. ADDITIONAL FEES

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number:	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
08-2442						
Deposit Account Name: Hodgson, Russ, Andrews, Woods & Goodyear	105	130	205	65	Surcharge - late filing fee or oath	\$130
<input checked="" type="checkbox"/> Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance	127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$
2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other	139	130	139	130	Non-English specification	\$
FEE CALCULATION	147	2,520	147	2,520	Filing a request for reexamination	\$
1. FILING FEE Large Entity Small Entity	112	920*	112	920*	Requesting Publication of SIR prior to Examiner Action	\$
Fee Fee Fee Fee Code (\$) Code (\$) Fee Description	113	1,840*	113	1,840*	Requesting Publication of SIR after Examiner Action	\$
101 760 201 380 Utility filing fee	115	110	215	55	Extension for reply within first month	\$
106 310 206 155 Design filing fee	116	380	216	190	Extension for reply within second month	\$380
107 480 207 240 Plant filing fee	117	870	217	435	Extension for reply within third month	\$
108 760 208 380 Reissue filing fee	118	1,360	218	680	Extension for reply within fourth month	\$
114 150 214 75 Provisional filing fee	128	1,850	228	925	Extension for reply within fifth month	\$
SUBTOTAL (1)	119	300	219	150	Notice of Appeal	\$
2. CLAIMS Fee from Extra below Total Claims / -20 = / x / = Independent / -3 = / x / = Multiple dependent claims / x / =	120	300	220	150	Filing a brief in support of an appeal	\$
	121	260	221	130	Request for an oral hearing	\$
	138	1,510	138	1,510	Petition to institute a public use proceeding	\$
	140	110	240	55	Petition to revive - unavoidable	\$
Large Entity Small Entity	141	1,210	241	605	Petition to revive - unintentional	\$
Fee Fee Fee Fee Code (\$) Code (\$) Fee Description	142	1,210	242	605	10 advance copies Utility issue fee (or reissue)	\$ \$
103 18 203 9 Claims in excess of 20	143	430	243	215	Design issue fee	\$
102 78 202 39 Independent claims in excess of 3	144	580	244	290	Plant issue fee	\$
104 260 204 130 Multiple dependent claim	122	130	122	130	Petitions to the Commissioner	\$
109 78 209 39 Reissue independent claims over original patent	123	50	123	50	Petitions related to provisional applications	\$
110 18 210 9 Reissue claims in excess of 20 and over original patent	126	240	126	240	Submission of Information Disclosure Statement	\$
SUBTOTAL (2)	581	40	581	40	Recording each patent assignment per property (times number of properties)	\$
SIGNATURE: <i>Martin G. Linihan</i>	146	760	246	380	Filing a submission after final rejection (37 CFR 1.129(a))	\$
Martin G. Linihan, Reg. No. 24,926	149	760	249	380	For each additional invention to be examined (37 CFR 1.129(b))	\$
DATE: March 12, 1999	*Reduced by basic filing fee paid				SUBTOTAL (3)	\$510



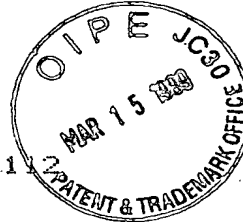
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/176,374 10/21/98 TAKEUCHI

E 04645.0444

0242/11



NOT ASSIGNED

MARTIN G LINIHAN
HODGSON RUSS ANDREWS
WOODS & GOODYEAR
1800 ONE M&T PLAZA
BUFFALO NY 14203

DATE MAILED:1741

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

11/12/98

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

☐ 1. The statutory basic filing fee is:

- ☐ missing.
☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.

\$ _____ for _____ independent claims over 3.

\$ _____ for _____ dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.
☐ does not cover the newly submitted items.
☐ does not identify the application to which it applies.
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/17/1999 CUBACCHIA 00000071 09176374 130.00 09
01 FC:105